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REMARKS

Claims 1, 3-23, 25-28, and 30-48 are pending in the present Application, claim 24 having been cancelled in the Response dated March 14, 2006. Claims 1, 4, 7-9, 12, 15-17, 22, 28, 35, 36, 38, 40-46, and 48 have been amended. Claims 3, 18 and 37 have been cancelled. No claims have been added, leaving Claims 1, 4-17, 19-23, 25-28, 30-36, and 38-48 for consideration upon entry of the present Amendment.

Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claim Amendments

Claims 7-9, 12, 16, 38, 40-42, 45 and 48 have been amended to recite "a" thermal stabilizer, boride, amount, or polyarylate, in order to conform with USPTO practice. It is to be understood that these amendments do not limit the claims to a single thermal stabilizer, boride, or polyarylate, but rather indicate that one or more the recited components is present. These and other claims have further been amended for consistency, to correct chemical nomenclature, or grammar.

Other claims amendments are described below.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3-23, 25, 27-28, 30-34, and 36 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent Publication No. 2002/0182389 A1 to Döbler (Dobler) in combination with U.S. Patent No. 6,060,154 to Adachi et al. (Adachi) or in the alternative, as unpatentable over Dobler in combination with Adachi and further in view of U.S. Patent No. 4,648,710 to Ban et al. (Ban). Claim 26 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Adachi as applied above, and further in view of Burkhardt. Claims 13-16 and 26-48 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Adachi and further in view of U.S. Patent No. 6,136,441 to MacGregor et al. (MacGregor). Claims 35 and 37-48 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Adachi.

Claims 1, 3-23, 25, 27-28, 30-48 further stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Patent Publication No. 2004/0,028,920 to Fujita et

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al. (Fujita), or in the alternative, over Dobler in view of Fujita, in combination with Ban. Claim 26 further stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Fujita as applied above, and further in view of Burkhardt. Claims 13-16 and 46-48 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Dobler in view of Adachi and further in view of MacGregor.

Applicants respectfully traverse the above rejections, in light of the amendments to the claims.

Claims 1, 22, 28, and 35 have been further amended to limit the electromagnetic radiation absorbing additive in the core layer to an IR absorbing additive, and the electromagnetic radiation absorbing additive in the first and second cap layer to a UV absorbing additive. Support for this amendment can be found at least in the claims as originally filed and in the application as filed at paragraphs [0014], [0063] to [0064], and [0071], and Example 1 paragraphs [0086] to [0090]. Claims 1, 22, 28, and 35 have further been amended to recite the limitation that the multilayered sheet has a haze value less than or equal to 5%, measured in accordance with ASTM D1003. Support for this amendment can be found at least in the application as filed at paragraph [0073].

Applicants have unexpectedly found that a multilayer structure wherein the IR absorber is present in the core layer and the ultraviolet absorber is present in the cap layer exhibits excellent transparency, in particular a haze value of less than 5%. (Example 1, paragraphs [0086] to [0090], and Table 1 and 3.) In particular, as shown in Comparative Example 1, a structure that contains both an IR absorbing additive and a UV absorbing additive in the cap layer [0081] has a haze of 7.81-8.7% (Table 1). In contrast, as shown in Example 1, when the IR absorbing additive is present in the core layer [0080], the haze of the structures is 1.4-1.6%. This difference is significant where the structures are to be used in automotive applications.

None of the references cited by the Examiner, nor their combination, teach or suggest this result. In fact, Dobler, which is relied upon in all of the rejections, teaches that both an IR absorber and a UV absorber are present in combination in layer 2. (Dobler, Abstract, paragraphs [0002], [0015], [0016], [0018], [0044], [0048], and [0053].) On the other hand, Applicants show that when the IR and UV absorbers are both present in the cap layer, the haze value is greater than 5%, in fact, greater than 7%.

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An applicant can rebut a prima facie case of obviousness by presenting comparative test data showing that the claimed invention possesses unexpectedly improved properties or properties that the prior art does not have. *In re Dillon*, 919 F.2d 688, 692-93, 16 U.S.P.Q.2d 1987, 1901 (Fed. Cir. 1990). In view of these unexpected results, Applicants respectfully assert that independent claims 1, 22, 28, and 35 as currently amended are patentable over the prior art, as well as their dependent claims. Reconsideration and withdrawal of the rejections and allowance of the case are respectfully requested.

Nonstatutory Double Patenting Rejections

Claims 1, 3-23, 25-28, 30-48 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-20 and 24-39 of copending Application No. 11/124,223. (OA 05/06, page 5)

Applicants respectfully request that the examiner hold the provisional obviousness-type double patenting rejection in abeyance until the claims are in final form and condition for allowance, as until such time, there is no double patenting and no way to determine double patenting. MPEP § 804.01.I(B)(1).

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-3621.

Respectfully submitted,

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